

ACT 162 - 2023

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

DRAFT
IMA ON FILE

Your Committee is in receipt of a communication from the County Executive forwarding for your Honorable Board's consideration an Act (the "Act") which, if approved, will authorize the County of Westchester (the "County"), acting by and through the Department of Public Safety ("Department"), to amend an inter-municipal agreement ("IMA") with the Village of Port Chester (the "Village"), pursuant to which the Village, through its police department, agreed to participate in the Westchester County STOP-DWI Patrol/Datamaster Project ("STOP-DWI Program") for a term commencing on January 1, 2021 and continuing through December 31, 2025, in an amount not-to-exceed \$8,400.00 per year, in order to increase the annual not-to-exceed amount payable to the Village from \$8,400.00 per year to \$20,000.00 per year, effective retroactive to January 1, 2023 and for the remainder of the term of the IMA.

By way of background, on November 9, 2020, by Act No. 184-2020, your Honorable Board authorized the County to enter into IMAs with one or more Westchester County municipal corporations as defined in Article 5-G of the New York State General Municipal Law, for the implementation of the STOP-DWI Program, a concerted DWI law enforcement effort undertaken by local municipalities and their police departments to reduce alcohol-related traffic injuries and fatalities in Westchester by conducting special DWI patrols. The term of the IMAs were to commence on January 1, 2021 and continue through December 31, 2025. In consideration for services rendered, Act No. 184-2020 authorized the County to pay each municipality an amount not-to-exceed \$8,400.00 per year, payable at the hourly rates set forth in the IMA.

Your Committee is advised that the County has entered into STOP-DWI Program IMAs with each of the local municipalities in the County, including the Village. However, most of the municipalities do not reach their \$8,400.00 annual limit. The Village is the one exception. It has by far the greatest volume of DWI activity among the municipalities participating in the STOP-DWI Program and its record of DWI arrests is outstanding. Consequently, the Village has already reached its \$8,400 funding limit for 2023. Moreover, the Department expects that going forward, the Village will continue to exceed its \$8,400.00 annual cap. For these reasons, the Department seeks to amend the IMA with the Village in order to increase the Village's annual STOP-DWI Program cap by an additional \$11,600.00 per year, from \$8,400.00 to \$20,000, effective retroactive to January 1, 2023 and for the balance of the term of the Village's IMA.

Your Committee is advised that the STOP-DWI Program has successfully initiated and coordinated efforts to reduce the number of alcohol and drug-related traffic injuries and deaths by providing municipalities with enforcement funding, coordinating of prosecution efforts, and informing and educating the public as to the legal and social consequences of driving while intoxicated in Westchester County. The STOP-DWI Program is funded by the return from the State of New York to the County of DWI-DWAI fines collected in Westchester. As such, no tax levy monies are used to support the Program.

The Department of Planning has advised that the proposed amendment to the IMA with the Village does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 12, 2023, which is on file with the Clerk of the Board of Legislators.

An affirmative vote of a majority of the voting strength of the Board is required for approval of the attached Act. Your Committee has carefully considered the proposed Act and recommends your Honorable Board's approval thereof.

Dated: September 13th, 2023

White Plains, New York

Leanne Zylke Jones

Syrena Brand

Vedat Sahin

David Am

Colin Park

Marc Bauer

COMMITTEE ON

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Margaret A. Cysto
Vedat Sahin
Harry
Ben

9/12/2023

Budget & Appropriations

Public Safety

Dated: September 13th, 2023

White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Public Safety

Budget and Appropriations

A handwritten signature in black ink, appearing to read "Jeff Rein". The signature is written in a cursive style with a large initial "J" and "R".

Dated: September 12th, 2023
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Public Safety

Budget and Appropriations

Sydney D. Brandon
[Signature]
[Signature]

FISCAL IMPACT STATEMENT

SUBJECT: Inter Municipal Agreement-STOP-DWI & the Village of Port Chester NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: _____

Dept 71, Fund 711, Trust Account T009, Unit 009W, 8500
Dept 71, Fund 711, Trust Account T009, Unit 009X, 8500
Dept 71, Fund 711, Trust Account T009, Unit 009Y, 8500
Dept 71, Fund 711, Trust Account T009, Unit 009Z, 8500
Dept 71, Fund 711, Trust Account T009, Unit 009A, 8500

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: No impact to the Operating Budget

Potential Related Revenues: Annual Amount \$ 0

Describe: No impact to the Operating Budget. Funding is received from fines that are collected from individuals who are arrested from drinking and driving. Requesting an increase of the yearly IMA amount by \$11,600 from \$8,400 to \$20,000.00 per year for the period from January 1, 2023 through December 31, 2025.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: 0

Next Four years: 0

Prepared by: Patricia McCarthy Tomassi

Reviewed By: Chadwick Parpeta ASB

Title: Program Administrator

Budget Director

Department: Public Safety

DATE: 7/25/23

If you need more space, please attach additional sheets.

ACT NO. 2023 - 162

AN ACT authorizing the County of Westchester to amend an intermunicipal agreement with the Village of Port Chester under the Westchester County STOP-DWI Patrol/Datamaster Project, in order to increase the annual payment cap under the IMA from \$8,400.00 to \$20,000.00, effective retroactive to January 1, 2023 and for the remainder of the IMA term.

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester ("County") is hereby authorized to amend an intermunicipal agreement ("IMA") with the Village of Port Chester (the "Village") pursuant to which the Village, through its police department, agreed to participate in the Westchester County STOP-DWI Patrol/Datamaster Project to conduct special DWI patrols, for a term commencing on January 1, 2021 and continuing through December 31, 2025, in an amount not-to-exceed \$8,400.00 per year, payable at the hourly rates set forth in the IMA, in order to increase the annual not-to-exceed amount payable to the Village from \$8,400.00 per year to \$20,000.00 per year, effective retroactive to January 1, 2023 and for the remainder of the term of the IMA.

§2. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and take all action necessary and appropriate to accomplish the purposes hereof.

§3. This Act shall take effect immediately.

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 162 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on September 18, 2023, and approved by the County Executive on September 19, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20th day of September, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

